

Arizona State Board for Charter Schools

February 9, 2004

Mission Charter School

7000 North Central Ave

Activity Hall

Phoenix, Arizona 85020

MINUTES

Members Present

Kurt Davis – President

Kimberly Mosher– Vice President

Mary Gifford – Superintendent’s Designee

Lynne Adams – Public Member

Cassandra Larsen - Public Member

Onnie Shekerjian- Public Member

Paul Smiley - Business Member

Members Absent

Mary Lynn Kelly -Business Member

Jose Gabriel Loyola – Public Member

Senator Linda Aguirre - Advisory

Representative John Huppenthal - Advisory

Representative Ted Carpenter - Advisory

Meeting began at 9:09 AM

Agenda Item A—Pledge of Allegiance

Agenda Item B—Moment of Silence

Agenda Item C—Roll Call: Traci Sawyer-Sinkbeil called the roll and confirmed a quorum.

Agenda Item D—Presentation— Jayne Shaw, Mission Charter School. Ms. Shaw extended a warm welcome to all the Board members. She provided a brief background on the history of Mission Charter School and presented a slide show presentation of the staff and students of the school.

Presentation of Artwork—Greg Miller

Greg Miller, Challenge Charter School presented artwork to Board created by former Challenge Charter School students that were now attending Mission Charter School.

Agenda Item E— Call to the Public

President Davis briefed the Board on a faxed letter from Skip Little received by staff related to Agenda Item K.1. He rotated the letter through the Board for review.

Sally Ann Martinez, resident of Anthem, AZ wanted to address the Board regarding Agenda Item K 1. She stated she was part of a steering committee that in the beginning was supportive of Arizona Montessori Charter School-Anthem, but the committee now has a

different focus than the charter applicant Sandra Houston. They have numerous concerns and requested the Board not grant the charter to Ms. Houston or at least table the agenda item until building, community support, and financial issues have been addressed.

Lynn Munson, Carmel Community presented to the Board her concerns regarding the requirements of sending a representative to the Pre-test AIMS and Stanford 9 workshops each year. She stated it is time consuming and sometimes strenuous on the school to secure a representative at the workshop. There are charter representatives who have attended numerous workshops that contain the same information from year to year yet know the proper procedures and the processing of the test documents. She also presented to staff a checklist that would assist charter representatives and/or test coordinators if assistance is needed.

Agenda Item F—Superintendent’s Report

Superintendent’s Designee Gifford stated the recent ADE memorandum on fiscal year 2003 recalculation of charter school state aid. Ms Gifford stated charter schools that owe the State money for fiscal year 2003 will have two years to pay it back. For those schools that the State owes money, the funds will be included in the next payment cycle.

Ms. Gifford also stated she has not received a formal response back from the OIG report regarding for-profit entities.

Agenda Item G-- Executive Director’s Report (listen to tape)

1. Christy Farley, Executive Director for the State Board of Education briefed the Board on the items discussed and action taken by the SBE at its January meeting. These items included: 1) approving English Language Learner proficiency standards; 2) moving the “n” count for Arizona Learns back to 16 from 30 for next year; 3) reviewing proposed science standards; 4) Teacher certification task force and 5) adopting a re-test policy for high school students.

2. Kristen Jordison provided an update on the charter school attendance in workshops regarding testing and testing related procedures. She suggested the subcommittee review testing workshop requirements and report to the Board.

3. Kristen provided an update on the status of schools that have been issued a notice of intent to revoke the charter and the status of schools for which the Board has previously withheld 10% of the monthly state aid.

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No action taken

She stated the following:

Notice of Intent to Revoke

1. Classical Kids, Notice issued on 1/12/04, School closed in December 2003. Hearing is set for June 14, 2004 before the Board.

2. Future Development, Notice issued on 10/14/03, School closed the day after the board made the motion to issue a notice of intent to revoke (October 16, 2003). The school has submitted a letter of surrender and our legal council is drafting a termination agreement. The Board will consider this termination agreement at the special meeting on Friday, Feb. 13th.

3. Laurent Clerc, Notice issued on 10/14/03, School closed at the end of 2001-2002 school year. The school has submitted a letter of surrender and our legal council is drafting a termination agreement. The Board will consider this termination agreement at the special meeting on Friday, Feb. 13th.

4. ReInvent Ed, Notice issued on 10/14/03, School closed at the end of 2002-2003 school year. Our legal council has retained a process server to serve the notice of intent to revoke after being unable to serve the notice. Once the notice has been served a hearing will be scheduled.

10% of the monthly state aid

AFR:

Academy of Hope
Accelerate Learning Laboratory
Center for Creative Education
Classical Kids
Ecotech Academy
Northern Arizona Academy for Career Development

By the end of October, each school had submitted their AFR with the exception of Classical Kids who was pending revocation.

Sped:

Luz Academy – is now in compliance according to ESS.

Fingerprinting:

Omega Alpha Academy -item is pending for special meeting on February 13th. Possible settlement agreement is in process.

4. Kristen Jordison stated a two-day workshop for new charter school operators will be held on March 22 and March 29. Based on participant feedback, the workshop format was changed from one day to two days.

5. Mark Francis, Arizona School for the Arts briefed the Board on the Walton Family Foundation Grant he received.

Agenda Item H-- Subcommittee Reports and Action Items :

1. Legislative Subcommittee Report— Legislative update and review of committee actions --Paul Smiley

No action taken

Paul Smiley, Committee Chair, briefed the Board on the Legislative Subcommittee. He introduced Mary Gifford, Jose Gabriel Loyola and Kimberly Mosher as members of the subcommittee and stated the group has met twice since the last Board meeting. Members of the State Board of Education and the Charter School Association were in attendance. The group discussed the role of the committee, which would include discussion on pending legislation, preparing responses and recommendations to the Board, and assist staff on educational legislation. At these meetings the sub-committee reviewed education bills and made recommendations whether to support, oppose, or take no position on each bill. The bill tracker includes the sub-committees recommendations, which was presented to the Board. Additionally, the sub-committee reviewed the legislative agenda of the Board and heard public comments from charter school operators and representatives of the Charter School Association who had concerns about the breadth of the bills

2. Discussion and possible action of the Board's position concerning education related bills.

The Board discussed which education related bills are most important to the staff, which issues are important to the Board to support or oppose, and alternatives to legislation.

Mr. Smiley lead the discussion regarding HB 2098, which would give the staff additional resources regarding application fees. Representative Boone requested Board feedback on this bill. He specifically asked what fee would the Board charge if this bill were to pass, whether the Board would be supportive of setting the application fee for all sponsors, not just our Board's fee, and an expression of the Board's support of this Bill. Legislation does not include a dollar amount.

President Davis stated if HB 2098 were to pass, the Board would then vote to establish a dollar amount for the application fee. No action taken.

Ms. Larsen had concerns for HB 2280 and if it had not been amended. This bill would give authority to ADE to have authority over the charter school board to take funds from our schools. The amendment would remove charter schools from this bill. Ms. Jordison stated the amendment passed but the bill failed. Staff will

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MOTION

Motion made by Mary Gifford to support House Bill 2255, to strike all new language and to direct the Department of Education for withholding up to 10% of the monthly state aid and bypass the State Board of Education. Motion seconded by Cassandra Larsen.

Motion passes unanimously

MOTION

Motion made by Cassandra Larsen to oppose support of Senate Bill 1346 regarding performance based compensation pay requirements and instruct staff to show opposition to this bill. Motion seconded by Mary Gifford.

Motion passes unanimously

continue to monitor the bill since some bills can resurface at a later date in other formats. No action taken.

3. Discussion and possible action of the Board's legislative agenda and discussion and possible consideration of amendments to the legislative agenda.

MOTION

Motion made by Lynne Adams to accept the legislative bill tracking report with the noted positions as amended. Motion seconded by Onnie Shekerjian.

Motion passes unanimously

Board break from 10:52 to 11:02am

4. Charter Oversight/Strategic Planning and Implementation Report—Update and review of committee actions—Cassandra Larsen

Cassandra Larsen, Committee Chair, briefed the Board on the Oversight/Strategic Planning and Implementation subcommittee. She introduced Lynne Adams and Kimberly Mosher as the members of the subcommittee and Onnie Shekerjian, who will serve as a revolving committee member. Also in attendance as guests were charter operators who had also served as application reviewers. The subcommittee discussed the Ad Hoc position to the Board. With discussions with legal counsel, it was determined that a change in statute would need to take place as opposed to the Board making a decision.

No action taken

Other discussions were the first read on the 2004-2005 charter school transfer application, which works as is with minimal changes and would continue to be looked at during the future transfer processes. Also, the subcommittee discussed the 2005-2006 charter school application process. Ms. Larsen stated the committee had comments from reviewers and the process went pretty well. There were concerns regarding 2nd reviews, 3rd reviews, and different reviewers. Staff made recommendations to have the final review conducted by the staff. Ms. Larsen also stated the quality of the application template has dramatically improved.

5. Discussion and possible action to approve the 2004-2005 charter school transfer application process and forms.

MOTION

Motion made by Kimberly Mosher to approve the 2004-2005 charter school transfer application process and forms. Motion seconded by Mary Gifford.

Motion passes unanimously

6. Discussion and first read on 2005-2006 new charter school application process.

No action taken

Agenda Item I. Discussion and possible action on request to transfer charter from the State Board of Education:

Kristen informed the Board the schools had submitted a complete application and their charter contracts were in compliance.

1. Benchmark School, Inc.

Susan Huff, Principal and Board member for Benchmark School represented the school and was available for questions from the Board.

MOTION

Motion made by Mary Gifford to approve the transfer of **Benchmark School, Inc.** Motion seconded by Onnie Shekerjian.

Motion passes unanimously

2. Calli Ollin Academy

Magdalena Verdugo, Executive Director for Calli Ollin Academy represented the school and was available for questions from the Board.

MOTION

Motion made by Mary Gifford to approve the transfer of **Calli Ollin Academy** contingent upon the Prop 301 issues be worked on with staff. Motion seconded by Kim Mosher.

Motion passes unanimously

3. Pine Forest Charter School

Pat Horne, Board member for Pine Forest Charter School represented the school and was available for questions from the Board.

MOTION

Motion made by Mary Gifford to approve the transfer of **Pine Forest Charter School.** Motion seconded by Onnie Shekerjian.

Motion passes unanimously

4. Scottsdale Educational Enrichment School

Since there was no representation from Scottsdale Educational Enrichment School, this item was tabled until the March Board meeting.

No action taken

5. Terra Rosa School

Since there was no representation from Terra Rosa School, this item was tabled until the March Board meeting.

MOTION

Motion made by Cassandra Larsen to table Agenda Item I.5 until the March board meeting. Motion seconded by Mary Gifford.

Motion passes unanimously

6. Vechij Himdag MashchamakuD

Kent Power, Principal for Vechij Himdag MashchamakuD represented the school and was available for questions from the Board.

MOTION

Motion made by Onnie Shekerjian to approve the transfer of **Vechij Himdag MashchamakuD.** Motion seconded by Cassandra Larsen.

**Motion passes
(1 no-Gifford)**

Agenda Item J--Action Items :

1. Arizona Academy for Advancement—Discussion and first read on the school's request for an extension of opening their school to 2005-2006.

Ms Larsen had concerns regarding schools that return to the Board to request an extension to open. She understands that schools do have difficulties in attaining facilities prior to opening and wants the schools to open and open right, but she is concerned that the staff should review the school prior to opening since dramatic changes may have taken place since the initial application was approved.

President Davis stated the Board should establish a policy regarding the granting of an extension to open. President Davis recommended this be reviewed by subcommittee and recommendations brought back to the Board.

Vice President Mosher had concerns regarding those schools that were on the agenda that were not present for the board meeting. She feels they should have been dedicated to be in attendance at the meeting to represent their school. She requested this be reviewed by subcommittee and recommendations be brought back to the Board.

Mike Kayes represented the school and was available for questions from the Board.

2. Champion Charter School—Discussion and first read on the school's request for an extension of opening their school to 2005-2006.

Since there was no representation from Champion Charter School, this item was tabled until the March board meeting.

MOTION

Motion made by Cassandra Larsen to approve the extension for Arizona Academy for Advancement to open in 2005-2006 contingent upon staff reviewing the information regarding the financial structure of the school. Motion seconded by Onnie Shekerjian.

**Motion passes
(1 no-Adams)**

MOTION

Motion made by Mary Gifford to table Agenda Item J.2 until the March board meeting. Motion seconded by Cassandra Larsen.

Motion passes unanimously

Agenda Item K. New Charter School Applications—Discussion and possible action on the following applications and requests for a charter:

Kristen Jordison provided a brief background on the current charter of Arizona Montessori Charter School held by Sandra Houston. She stated the new application did not meet or exceed special education requirements.

**BOARD CONVENES AN EXECUTIVE SESSION
AT 11:59 AM**

MOTION

Motion made by Onnie Shekerjian to go into executive session for the purpose of receiving legal advice for Agenda Item K 1. Motion seconded by Paul Smiley.

**Motion passes
(Mosher abstained)**

**BOARD RESUMES GENERAL MEETING AT
12:09PM**

1.Arizona Montessori Anthem—Sandra Houston

Sandra Houston represented the application and was available for questions from the Board.

MOTION

Motion made by Lynne Adams to deny the application and not grant the charter of **Arizona Montessori Anthem** due to failure to comply with special education, failure to meet or exceed application requirements in special education, problems with budget and assumptions related to budget projections. Motion seconded by Cassandra Larsen.

Motion failed

(1 aye-Adams)

**(5 nays-Larsen, Shekerjian, Smiley, Davis, Gifford)
(Mosher abstained)**

MOTION

Motion made by Cassandra Larsen to deny the application and not grant the charter of **Arizona Montessori-Anthem** due to financial circumstances regarding the opening of the school at this particular site.

No second

Motion failed

(Mosher abstained)

MOTION

Motion made by Kurt Davis to accept the application and grant the charter of **Arizona Montessori-Anthem**. Motion seconded by Mary Gifford.

Motion passes

(2 nays-Adams & Smiley)

(Mosher abstained)

2. Arizona Montessori Gilbert—Sandra Houston

Sandra Houston represented the application and was available for questions from the Board.

MOTION

Motion made by Cassandra Larsen to accept the application and grant the charter of **Arizona Montessori-Gilbert**. Motion seconded by Onnie Shekerjian.

Motion passes

(1 no-Adams)

(Mosher abstained)

3. Arizona Up Grade Academy, Inc.—Allen Smithson

Allen Smithson represented the application and was available for questions from the Board.

MOTION

Motion made by Mary Gifford to accept the application and grant the charter of **Arizona Up Grade Academy, Inc.** Motion seconded by Cassandra Larsen.

Motion passes unanimously

4. CA Rosefield, LLC—Nancy Hall

Nancy Hall represented the application and was available for questions from the Board.

MOTION

Motion made by Cassandra Larsen to accept the application and grant the charter of **CA Rosefield, LLC**. Motion seconded by Lynne Adams.

**Motion passes
(Gifford abstained)**

5. East Valley Arts and Technology Academy, Inc.—Michael Connelly

Sherrilyn Kisselbach and Michael Eidelman represented the application and were available for questions from the Board.

MOTION

Motion made by Cassandra Larsen to accept the application and grant the charter of **East Valley Arts and Technology Academy, Inc.** Motion seconded by Onnie Shekerjian.

**Motion passes
(1 no-Adams)
(Gifford abstained)**

6. West Valley Arts and Technology Academy, Inc.—Michael Connelly

Sherrilyn Kisselbach and Michael Eidelman represented the application and were available for questions from the Board.

MOTION

Motion made by Onnie Shekerjian to accept the application and grant the charter of **West Valley Arts and Technology Academy, Inc.** Motion seconded by Kimberly Mosher.

**Motion passes
(1 no-Adams)
(Gifford abstained)**

7. e-cadamie—Keith Mason

Arturo Ortiz represented the application and was available for questions from the Board.

MOTION

Motion made by Cassandra Larsen to accept the application and grant the charter of **e-cadamie**. Motion seconded by Kimberly Mosher.

Motion passes unanimously

President Davis left the meeting at 1:40 pm

Board break from 1:40 to 1:50 pm

8. Esperanza Community Collegial Academy—Pamela Cullen

Richard Canchos, Dorelyn Kunkel, and Pamela Cullen represented the application and were available for questions from the Board.

MOTION

Motion made by Cassandra Larsen to accept the application and grant the charter of **Esperanza Community Collegial Academy**. Motion seconded by Lynne Adams.

Motion passes unanimously

9. JHJ, Inc. —Mary Sales

Mary Sales represented the application and was available for questions from the Board.

MOTION

Motion made by Cassandra Larsen to accept the application and grant the charter of **JHJ, Inc.** Motion seconded by Mary Gifford.

Motion passes unanimously

10. Mohave Accelerated Elementary School, Inc.—
Vickie Christensen

Vickie Christensen represented the application and was available for questions from the Board.

MOTION

Motion made by Mary Gifford to accept the application and grant the charter of **Mohave Accelerated Elementary School, Inc.** Motion seconded by Cassandra Larsen.

Motion passes unanimously

11. New Century Educational Management Services, LLC—Marv Lamer

Marv Lamer represented the application and was available for questions from the Board.

MOTION

Motion made by Mary Gifford to accept the application and grant the charter of **New Century Educational Management Services, LLC.** Motion seconded by Paul Smiley.

Motion failed-tied vote
(3 ayes-Larsen, Smiley, Gifford)
(3 nays-Adams, Shekerjian, Mosher)

MOTION

Motion made by Mary Gifford to accept the application and grant the charter of **New Century Educational Management Services, LLC.** Motion seconded by Paul Smiley.

Motion passes
(2 nays-Adams, Shekerjian)

12. North Star Charter Middle School, Inc.—Aldine Dickens

Aldine Dickens represented the application and was available for questions from the Board.

MOTION

Motion made by Cassandra Adams to deny the application and not grant the charter of **North Star Charter Middle School, Inc.** due to current track record for existing school, i.e. moving several times, ADM reporting inaccuracies, curriculum, fingerprint clearance cards, public meetings, and special education services. Motion seconded by Lynne Adams.

MOTION AMENDED

Motion made by Cassandra Larsen to deny the application and not grant the charter of **North Star Charter Middle School, Inc.** for reasons that the applicant is not sufficiently qualified as demonstrated through the current operation of the charter: 4 moves since the charter was granted, ADM reporting was inaccurate for 2 years in a row, curriculum software not available to students, fingerprinting issues for 3 of 4 instructors, annual financial audit and annual financial report were submitted late, failure to demonstrate sound budgeting and failure to provide supporting documentation of resumes and it is a compilation of all indicators mentioned that suggests instability and lack of sufficient qualifications for a new charter. Motion seconded by Onnie Shekerjian.

Motion passes unanimously

13.Satori, Inc.—Steve Rabkin

Steve Rabkin represented the application and was available for questions from the Board.

MOTION

Motion made by Cassandra Larsen to accept the application and grant the charter of **Satori, Inc.** Motion seconded by Mary Gifford.

Motion passes unanimously

Agenda Item L-- Additional Action Items

1. Presentation and approval of non-substantive changes of the Final Rule Package for R7-5-101, R7-5-201, R7-5-202, R7-5-203, R7-5-204, R7-5-401 that was submitted to the Governor's Regulatory Rules Council.

MOTION

Motion made by Lynne Adams to approve non-substantive changes of the Final Rule Package for R7-5-101, R7-5-201, R7-5-202, R7-5-203, R7-5-204, R7-5-401. Motion seconded by Onnie Shekerjian.

**Motion passes unanimously
Gifford absent for vote**

Agenda Item M—Approval of Minutes:

January 12, 2004
Executive Session Minutes January 12, 2004

MOTION

Motion made by Paul Smiley to approve the minutes of **January 12, 2004**. Motion seconded by Cassandra Larsen.

Motion passes unanimously

MOTION

Motion made by Cassandra Larsen to approve the Executive Session minutes of **January 12, 2004**. Motion seconded by Onnie Shekerjian.

Motion passes unanimously

Agenda Item N—Adjournment

MOTION

Motion by Lynne Adams to adjourn the meeting. Motion seconded by Cassandra Larsen.

Motion passes unanimously

The meeting adjourned at approximately 3:45pm.

Signature

Date